

ADVERSARY PROCEEDING COVER SHEET (Instructions on Reverse)		ADVERSARY PROCEEDING NUMBER (Court Use Only)											
PLAINTIFFS <i>P.R. ELECTRIC POWER AUTHORITY</i>	DEFENDANTS <i>ELIPHAZ SÁNCHEZ CINTRÓN</i>												
ATTORNEYS (Firm Name, Address, and Telephone No.) <i>BUFETE ROBERTO CORRETJER PIQUER 625 PONCE DE LEÓN AVE. San Juan, P.R. 00917-4819; 751-4618</i>	ATTORNEYS (If Known)												
PARTY (Check One Box Only) <table> <tr> <td><input type="checkbox"/> Debtor</td> <td><input type="checkbox"/> U.S. Trustee/Bankruptcy Admin</td> </tr> <tr> <td><input checked="" type="checkbox"/> Creditor</td> <td><input type="checkbox"/> Other</td> </tr> <tr> <td><input type="checkbox"/> Trustee</td> <td></td> </tr> </table>	<input type="checkbox"/> Debtor	<input type="checkbox"/> U.S. Trustee/Bankruptcy Admin	<input checked="" type="checkbox"/> Creditor	<input type="checkbox"/> Other	<input type="checkbox"/> Trustee		PARTY (Check One Box Only) <table> <tr> <td><input checked="" type="checkbox"/> Debtor</td> <td><input type="checkbox"/> U.S. Trustee/Bankruptcy Admin</td> </tr> <tr> <td><input type="checkbox"/> Creditor</td> <td><input type="checkbox"/> Other</td> </tr> <tr> <td><input type="checkbox"/> Trustee</td> <td></td> </tr> </table>	<input checked="" type="checkbox"/> Debtor	<input type="checkbox"/> U.S. Trustee/Bankruptcy Admin	<input type="checkbox"/> Creditor	<input type="checkbox"/> Other	<input type="checkbox"/> Trustee	
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CAUSE OF ACTION (WRITE A BRIEF STATEMENT OF CAUSE OF ACTION, INCLUDING ALL U.S. STATUTES INVOLVED)													
NATURE OF SUIT													
(Number up to five (5) boxes starting with lead cause of action as 1, first alternative cause as 2, second alternative cause as 3, etc.)													
FRBP 7001(1) – Recovery of Money/Property <ul style="list-style-type: none"> <input type="checkbox"/> 11-Recovery of money/property - §542 turnover of property <input type="checkbox"/> 12-Recovery of money/property - §547 preference <input type="checkbox"/> 13-Recovery of money/property - §548 fraudulent transfer <input type="checkbox"/> 14-Recovery of money/property - other FRBP 7001(2) – Validity, Priority or Extent of Lien <ul style="list-style-type: none"> <input type="checkbox"/> 21-Validity, priority or extent of lien or other interest in property FRBP 7001(3) – Approval of Sale of Property <ul style="list-style-type: none"> <input type="checkbox"/> 31-Approval of sale of property of estate and of a co-owner - §363(h) FRBP 7001(4) – Objection/Revocation of Discharge <ul style="list-style-type: none"> <input type="checkbox"/> 41-Objection / revocation of discharge - §727(c),(d),(e) FRBP 7001(5) – Revocation of Confirmation <ul style="list-style-type: none"> <input type="checkbox"/> 51-Revocation of confirmation FRBP 7001(6) – Dischargeability <ul style="list-style-type: none"> <input type="checkbox"/> 66-Dischargeability - §523(a)(1),(14),(14A) priority tax claims <input checked="" type="checkbox"/> 62-Dischargeability - §523(a)(2), false pretenses, false representation, actual fraud <input type="checkbox"/> 67-Dischargeability - §523(a)(4), fraud as fiduciary, embezzlement, larceny <p style="text-align: center;">(continued next column)</p>													
FRBP 7001(6) – Dischargeability (continued) <ul style="list-style-type: none"> <input type="checkbox"/> 61-Dischargeability - §523(a)(5), domestic support <input checked="" type="checkbox"/> 68-Dischargeability - §523(a)(6), willful and malicious injury <input type="checkbox"/> 63-Dischargeability - §523(a)(8), student loan <input type="checkbox"/> 64-Dischargeability - §523(a)(15), divorce or separation obligation (other than domestic support) <input type="checkbox"/> 65-Dischargeability - other FRBP 7001(7) – Injunctive Relief <ul style="list-style-type: none"> <input type="checkbox"/> 71-Injunctive relief – imposition of stay <input type="checkbox"/> 72-Injunctive relief – other FRBP 7001(8) Subordination of Claim or Interest <ul style="list-style-type: none"> <input type="checkbox"/> 81-Subordination of claim or interest FRBP 7001(9) Declaratory Judgment <ul style="list-style-type: none"> <input type="checkbox"/> 91-Declaratory judgment FRBP 7001(10) Determination of Removed Action <ul style="list-style-type: none"> <input type="checkbox"/> 01-Determination of removed claim or cause Other <ul style="list-style-type: none"> <input type="checkbox"/> SS-SIPA Case – 15 U.S.C. §§78aaa <i>et seq.</i> <input type="checkbox"/> 02-Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy case) 													
<input type="checkbox"/> Check if this case involves a substantive issue of state law	<input type="checkbox"/> Check if this is asserted to be a class action under FRCP 23												
<input type="checkbox"/> Check if a jury trial is demanded in complaint	Demand \$												
Other Relief Sought													

BANKRUPTCY CASE IN WHICH THIS ADVERSARY PROCEEDING ARISES		
NAME OF DEBTOR ELIPHAZ SÁNCHEZ CINTRÓN	BANKRUPTCY CASE NO. 10-03449	
DISTRICT IN WHICH CASE IS PENDING PUERTO RICO	DIVISION OFFICE	NAME OF JUDGE ESL
RELATED ADVERSARY PROCEEDING (IF ANY)		
PLAINTIFF	DEFENDANT	ADVERSARY PROCEEDING NO.
DISTRICT IN WHICH ADVERSARY IS PENDING	DIVISION OFFICE	NAME OF JUDGE
SIGNATURE OF ATTORNEY (OR PLAINTIFF) <i>Eduardo J. Corretjer Reyes</i>		
DATE 8/9/2010	PRINT NAME OF ATTORNEY (OR PLAINTIFF) Eduardo J. Corretjer Reyes	

INSTRUCTIONS

The filing of a bankruptcy case creates an "estate" under the jurisdiction of the bankruptcy court which consists of all of the property of the debtor, wherever that property is located. Because the bankruptcy estate is so extensive and the jurisdiction of the court so broad, there may be lawsuits over the property or property rights of the estate. There also may be lawsuits concerning the debtor's discharge. If such a lawsuit is filed in a bankruptcy court, it is called an adversary proceeding.

A party filing an adversary proceeding must also complete and file Form 104, the Adversary Proceeding Cover Sheet, unless the party files the adversary proceeding electronically through the court's Case Management/Electronic Case Filing system (CM/ECF). (CM/ECF captures the information on Form 104 as part of the filing process.) When completed, the cover sheet summarizes basic information on the adversary proceeding. The clerk of court needs the information to process the adversary proceeding and prepare required statistical reports on court activity.

The cover sheet and the information contained on it do not replace or supplement the filing and service of pleadings or other papers as required by law, the Bankruptcy Rules, or the local rules of court. The cover sheet, which is largely self-explanatory, must be completed by the plaintiff's attorney (or by the plaintiff if the plaintiff is not represented by an attorney). A separate cover sheet must be submitted to the clerk for each complaint filed.

Plaintiffs and Defendants. Give the names of the plaintiffs and defendants exactly as they appear on the complaint.

Attorneys. Give the names and addresses of the attorneys, if known.

Party. Check the most appropriate box in the first column for the plaintiffs and the second column for the defendants.

Demand. Enter the dollar amount being demanded in the complaint.

Signature. This cover sheet must be signed by the attorney of record in the box on the second page of the form. If the plaintiff is represented by a law firm, a member of the firm must sign. If the plaintiff is pro se, that is, not represented by an attorney, the plaintiff must sign.

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO**

IN RE *
ELIPHAZ SÁNCHEZ CINTRÓN * Bankruptcy Case No. 10-03449 (ESL)
Debtor * Chapter 13
***** *
P.R. ELECTRIC POWER AUTHORITY * Adversary Proceeding No. _____
Plaintiff * Determination of Dischargeability
v. *
ELIPHAZ SÁNCHEZ CINTRÓN *
***** *

COMPLAINT

NOW COMES the P.R. Electric Power Authority ("PREPA"), through its undersigned counsel, and very respectfully states and prays:

I. Jurisdiction and Venue

1. This honorable Court has jurisdiction over the instant adversary proceeding pursuant to 28 U.S.C. §§ 157 and 1334 and U.S.C.S. Bankruptcy R. 7001.

2. Venue lies in this honorable Court pursuant to 28 U.S.C. § 1409.

II. The Parties

3. PREPA is a governmental unit as defined in 11 U.S.C. § 101(27). PREPA is a public corporation charged with providing electric power services in P.R. PREPA's physical address is NEOS Building, 110 Ponce de León Ave., San Juan, P.R. PREPA's postal address is P.O. Box 363928, San Juan, P.R.

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO**

IN RE

ELIPHAZ SÁNCHEZ CINTRÓN

Debtor

P.R. ELECTRIC POWER AUTHORITY * Adversary Proceeding No. _____

Plaintiff * Determination of Dischargeability

v.

ELIPHAZ SÁNCHEZ CINTRÓN

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00936-3928. PREPA's Director of Legal Issues' telephone number is 787-521-4433.

4. Eliphaz Sánchez Cintrón ("Sánchez") is a natural person and a resident of P.R. Sánchez's postal address is PMB 649, P.O. Box 6017, Carolina, P.R. 00984-6017. Sánchez's physical address is Apartment 1501, Villa Carolina Court Building, Carolina, P.R. 00985.

III. Facts and Allegations

5. Pre-petition, PREPA supplied Sánchez with electric power services under account #031-0591288-001.

6. Sánchez owes PREPA a pre-petition debt in the amount of \$135,250.23.

7. Of the \$135,250.23 that Sánchez owes PREPA for pre-petition electric power services, the amount of \$38,635.20 was incurred through actual fraud, larceny, and/or willful and malicious injury by Sánchez to PREPA's property.

8. Sánchez tampered with PREPA's electric power equipment supplying electric power to Sánchez's commercial property located at #14 601 Street, Block 220, Villa Carolina, Carolina, P.R. 00985, in order to bypass the meter and/or reduce the electric consumption reading of the meter. Sánchez's actions constituted undue use of electric power services and his actions amount to actual fraud, larceny, and/or willful and malicious injury by Sánchez to PREPA's property.

9. Sánchez's pre-petition debt with PREPA in the amount of \$38,635.20, and any other amounts that Sánchez may owe PREPA as a result of Sánchez's undue use of electric power services, are not dischargeable pursuant to 11 U.S.C. § 523.

WHEREFORE PREPA respectfully requests from the honorable court that it enter judgment in favor of PREPA determining that Sánchez's pre-petition debt with PREPA in the amount of \$38,635.20 is not dischargeable.

RESPECTFULLY SUBMITTED.

In San Juan, P.R. on August 10, 2010.

BUFETE ROBERTO CORRETJER PIQUER
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E-mail: ejcr@corretjerlaw.com
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By: Eduardo J. Corretjer Reyes
s/ Eduardo J. Corretjer Reyes
USDC-PR 224113

C:ecr/aee/eliphasz sánchez/adversary/prepa complaint